	CITY OF CHANDLER ADMINISTRATIVE REGULATION	DATE WRITTEN: January 1, 2005
		DATE REVIEWED: August 11, 2011
		NUMBER: CC Reg. CM-26
		DPR: City Manager
MOBILE COMMUNICATION DEVICES (MCD)		

I. PURPOSE

It is the practice of the City of Chandler to provide equipment, services, and other resources necessary to perform City job-related duties in a professional manner. Where necessary, the City will provide a Mobile Communication Device (MCD) or a MCD allowance to personnel where it has been determined to be in the best interest of the City. The purpose of this regulation is to document the policies related to the justification and usage of MCD for City business.

II. RESPONSIBILITY

The City Manager's Office will assign a MCD Administrator. The Department Director will assign the Department MCD Coordinator(s). Individuals who use City-owned MCDs or receive a MCD allowance are responsible to adhere to the procedures in this regulation. Additional responsibilities include:

A. DEPARTMENT DIRECTOR

The Department Director (or designee) will:

1. Justify the need for individuals under their management to have a City-owned MCD or a MCD allowance. Justification should include, but is not limited to: lack of ready access to a standard City phone, increases in efficiency and/or effectiveness, improved customer service, safety, etc.
2. Detail and formally document duties if they are delegated so the individual(s) assigned the tasks know their specific responsibilities. The Department Director shall retain all documentation related to the delegation of these duties. The Department Director will provide the MCD Administrator a list of department MCD Coordinator(s).
3. Carefully select the MCD service plan to ensure it effectively and efficiently meets the organization's needs after the City Council chooses a provider.
4. Confirm the continued need for MCD, educate subordinates about appropriate MCD procedures and monitor their usage.
5. Review this City regulation with each user who is assigned a City-owned MCD or receives a monthly MCD allowance.
6. Ensure that the MCD Coordinator has the authority to electronically start, change, and cancel City MCD User or Allowance Agreements.
7. Keep a hard copy of any physically signed documents relating to MCDs.

B. MCD ADMINISTRATOR

The MCD Administrator will:

1. Process the MCD requests for City-owned devices initiated by the Department MCD Coordinator.
2. Maintain and access MCD information for the City.
3. Review the list of MCD users to ensure Administrative Regulation compliance.
4. Redistribute unused City-owned MCD to an appropriate user or turn in to Central Supply as surplus.
5. Work with vendor to resolve billing disputes.

C. MCD COORDINATOR

The Department MCD Coordinator will, at the direction and discretion of the Department Director or the Director's designee:

1. Electronically start, change, cancel MCD service/allowance or report a billing dispute for City-owned MCD user.
2. Electronically initiate the request for users who will receive MCD allowance.
3. Access and validate MCD user information for their department/cost center.
4. Redistribute unused City-owned MCD to appropriate user or turn in to MCD Administrator.
5. Report billing errors and/or disputes and excessive charges to the MCD Administrator within 30 days of the GL posting.
6. Immediately report damaged, lost, or stolen equipment to the MCD Administrator.
7. Provide information to MCD Administrator to resolve billing disputes.

D. EMPLOYEE

The User will:

1. Electronically agree to the MCD User or Allowance Agreement.
2. Use the City-owned MCD in a safe, effective and economical manner that meets the business needs of the City, and complies with all applicable laws and City rules, regulations, and policies.
3. Return City-owned MCD and accessories to the Department MCD Coordinator upon termination or transfer to another cost center.
4. Immediately report damaged, lost, stolen or inoperable MCD to MCD Coordinator.

III. DEFINITIONS

City-subsidized MCD – An employee's personally-owned mobile communication device for which the employee receives an MCD allowance pursuant to an Allowance Agreement.

Electronically – The process of creating a request within the Lotus Notes application identified as "City of Chandler MCD Service."

Mobile Communication Device (MCD) – All wireless communication devices including but not limited to cellular telephones, PC cards, Push to Talk, and hybrid cellular/PDA devices used for either voice and/or wireless data communication.

User – An individual such as an elected official, employee, or other person governed by this Administrative Regulation.

IV. PROCEDURES

A. MCD USAGE PRACTICES

The following practices should be followed when using MCD equipment:

1. Users must comply with Administrative Regulation CC Reg. CAPA-7, *Social Media/Social Networking*, when using a Mobile Communication Device.
2. Users must comply with Administrative Regulation CC Reg. CM-24, *Acceptable Use of Information Systems and Related Technology*, when using a Mobile Communication Device.
3. Users are expected to recognize and appreciate the dangers associated with driving while distracted. Except in an emergency, users shall not use MCD while operating a vehicle in the course of conducting City-related business or while on City time unless the vehicle is off the road and parked in a safe location. The prohibition against using MCD while driving applies to receiving or placing phone calls, text messaging, surfing the internet, reading or responding to email, checking phone messages, watching videos, or any other activity using the MCD that might take the user's attention away from the task of driving. Two-way radio users may accept incoming radio calls but must refrain from making outgoing radio calls while driving. A user's failure to comply with these prohibitions may result in disciplinary action, up to and including dismissal, as provided under Personnel Rule 5.
4. Users classified as non-exempt employees for purposes of the Fair Labor Standards Act (FLSA) must have prior approval before using City-owned MCD or City-subsidized MCD for City-related purposes (including reviewing and responding to work-related emails and text messages) outside of regularly scheduled work hours. Non-exempt employees who use MCD to conduct City-related business outside of and in excess of regularly scheduled work hours, must report the time worked to their supervisor. The City's overtime rules and policies shall apply.
5. In addition to complying with the requirements of this Administrative Regulation, users must comply with any applicable federal, state, and local laws relating to the use of MCD while driving. Where the requirements of this Administrative Regulation are more restrictive than federal, state, or local law, the Administrative Regulation shall govern.
6. Users who are charged with traffic violations involving the use of MCD while driving will be solely responsible for all liabilities that arise or result from such actions.
7. Users must use reasonable care to safeguard City information and any confidential or sensitive information stored on MCD, including information protected by federal, state, and local statutes, regulations, and ordinances.
8. City-owned equipment is to be used for official City business.
9. City-owned MCD is not to be used for operating a personal business.
10. When in travel status, users should use the City-owned MCD for business calls. Additional details are set forth in Administrative Regulation MS-26, *Travel Request, Authorization, and Expense*. In addition, where appropriate, departments will provide users with a pre-paid long-distance calling card.
11. E-mails and text messages generated or received by users in the course of conducting City-related business on City-owned or City-subsidized MCD are public records under Arizona public records laws and may be subject to public disclosure. Users are expected to conduct their communications on MCD accordingly. Users should adhere

- to rules for messaging as defined in Administrative Regulation CC Reg. CM-24, *Acceptable Use of Information Systems and Related Technology* when using an MCD.
12. Due to public safety needs, Police and Fire may implement other standard operating procedures that may provide further clarification on MCD use in specific situations.

B. PHYSICAL ASSET CONTROLS

MCD obtained through the City is an asset of the City of Chandler. Departments should maintain appropriate records and institute appropriate controls over such assets and with all city data and information removed on such assets. Such controls should ensure that:

1. Any proposed User of MCD equipment must contact their Departmental MCD Coordinator for guidance in selecting a City-owned MCD and service plan. MCD Coordinator shall give priority to selections from the free devices provided by the MCD vendor. MCD that exceed \$1 (one dollar) excluding tax require Department Director approval.
2. Users are required to safeguard City-owned equipment and to prevent loss or inappropriate use of this equipment.
3. City-owned equipment is turned in to the MCD Coordinator when a user transfers or terminates.
4. When no longer of use to a Department, MCD equipment must be turned in as surplus. If the department will not need the MCD for another user, the MCD Coordinator should complete Surplus Property List – CC Form 12 and forward to the MCD Administrator. The MCD Administrator will determine if the MCD is usable or should be sent directly to Central Supply without city data and information. Central Supply may dispose of the MCD through approved City disposal programs.
5. All damages to City-owned equipment should be reported to the user's manager/supervisor. If lost or stolen, the user should immediately report the loss to his/her manager/supervisor and to the MCD Coordinator so that service can be cancelled. Any loss or damage is presumed to be the fault of the User and final determination of this issue including required re-imbursement from User or disciplinary action is with the MCD Administrator and the Department Director to which the User directly or indirectly reports.
6. Administrative Regulation CC Reg. CM-25, *Information Technology Procurement Policy*, applies to any purchase by the City of Mobile Communication Devices.

C. USAGE MONITORING

1. Monthly MCD Allowance
 - a. A user who is approved for an Allowance Agreement will agree electronically or in writing as directed by the City.
 - b. Users that select this option will receive a monthly allowance of \$20. City users who are required to have a group page option are authorized to receive an additional \$8 per month allowance.
 - c. All users who receive the monthly allowance are solely responsible for acquiring their own MCD, replacing the batteries, maintaining the MCD, and paying the MCD bill. The City will NOT reimburse users for any charges in addition to the monthly allowance.
 - d. The monthly allowance amount is subject to all applicable state and/or federal payroll taxes.

- e. In the event a department determines that an allowance should be discontinued for a City user, the MCD Coordinator will submit a cancellation electronically.
- f. In the event that a user receiving an allowance is transferred to another City division/department, the MCD Coordinator will submit a cancellation electronically through the MCD application.

2. City-Owned MCDs

- a. A user who is approved for a City owned MCD will agree electronically or in writing as directed by the City.
- b. The user must use the City-owned MCD in a safe, effective and economical manner that meets the business needs of the City, and complies with this Administrative Regulation.
- c. Return City-owned MCD and accessories to the Department MCD Coordinator upon termination or transfer to another cost center.
- d. Immediately report damaged, lost, stolen or inoperable MCD to MCD Coordinator.

D. TRANSFER BETWEEN PROGRAMS

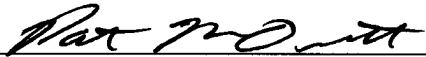
It is acknowledged that there may be instances where users who have a City-owned MCD may subsequently desire to choose to receive a monthly MCD allowance, if approved by their respective department. Similarly, users who are receiving a monthly MCD allowance may choose to discontinue receiving the allowance, and instead use a City-owned MCD. After department approval the following procedures are to be followed for such transfers:

1. Transfer from City-Owned MCD to MCD Allowance

- a. MCD Coordinator will request the allowance electronically and forward to the user. The MCD Coordinator will submit a request electronically to cancel the City MCD service plan.
- b. When the user accepts the Allowance Agreement electronically it is automatically forwarded to Human Resources for processing.
- c. The user will turn in their City-owned MCD to their MCD Coordinator.

2. Transfer from MCD Allowance to City-Owned MCD

- a. MCD Coordinator will cancel the allowance and then request a City-owned MCD electronically and forward to the user. The user will review the regulation and accept the MCD Agreement.


Asst. City Manager

8-11-11
Date


City Manager

8-11-11
Date